

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LANCE IAN OSBAND,

Petitioner, No. CIV S-97-0152 WBS KJM

vs. DEATH PENALTY CASE

ROBERT L. AYERS, Jr.,
Warden of San Quentin
State Prison,

Respondent. ORDER

Within twenty days of the filed date of this order, petitioner shall file a concise reply to respondent's January 25, 2008 Brief Regarding Sealing Portions of the Evidentiary Hearing Transcript and Exhibits. In particular, the undersigned is concerned about the number of portions of the transcript respondent has identified as containing information that is already part of a public record. The court's October 22, 2007 Order directed petitioner to "confirm that the information contained in [additional portions of the transcript petitioner proposed be sealed] has not previously been made public in any proceeding or filing." On March 5, 2008 at 10:00 a.m. in courtroom # 26, the undersigned will hear arguments on the issues raised in the parties' briefs regarding sealing the evidentiary hearing transcript and exhibits.

DATED: February 1, 2008.

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U.S. MAGISTRATE JUDGE